

Message Text

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44

ACTION EUR-12

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EO 11652: NA

TAGS: PINS GP

SUBJECT: GOG SUBMITS BILL TO EXPEDITE LEGAL ACTION
AGAINST JUNTA

REF: ATHENS 9149, DEC 30, 74

1. SUMMARY: MINISTER OF JUSTICE SUBMITTED DRAFT
CONSTITUENT ACT TO PARLIAMENT JAN 9 WHICH CHARACTERIZES
APRIL 21, 1967 MILITARY TAKEOVER AS COUP AND NOT
"REVOLUTION" AND PROVIDES BASIS FOR PROSECUTION ALL RANKING
GOVERNMENT OFFICIALS FROM THAT DATE UNTIL JULY 23, 1974.
GOG BILL SUPPLANTS SIMILAR PASOK AND ND DRAFTS ALREADY
SUBMITTED. EX-PRESIDENT PAPADOPOULOS AND FELLOW KEA
EXILES ARE SCHEDULED TO SUBMIT DEFENSE PLEAS TO PUBLIC
PROSECUTOR NEXT WEEK. END SUMMARY.

2. INTRODUCTION TO DRAFT CONSTITUENT ACT
SUBMITTED BY MINISTER OF JUSTICE C. STEFANAKIS
JAN 9 DECLARED THAT APRIL 21, 1967 REGIME "...WAS
RESULT OF PERSONAL PURSUITS BY SMALL GROUP OF ARMY
OFFICERS AND WAS NEVER APPROVED BY PEOPLE... AND THAT
APRIL 21 TAKEOVER WAS AN ACT OF SEDITION AND NOT A
REVOLUTION AND THAT SUCCEEDING GOVERNMENTS RULED BY
VIOLENCE AND POPULAR OPPRESSION." BILL INCLUDES SEVERAL
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ARTICLES: MINISTERS, UNDER SECRETARIES, SECRETARIES

GENERAL OF MILITARY REGIME AND THEIR COLLABORATORS ARE
LIABLE FOR ALL PUNISHABLE ACTS; SUCH CRIMES WILL BE TRIED
BY 5-MEMBER PENAL COURT; LEGISLATIVE DECREE 106/1973
(WHICH EXEMPTED FROM LEGAL PROSECUTION GOG OFFICIALS FOR
ACTS PERFORMED DURING COURSE OF OFFICIAL DUTIES) IS DECLARED
NULL AND VOID; EARLIER SENTENCES HANDED DOWN TO THOSE WHO
ATTEMPTED TO OVERTHROW MILITARY REGIME ARE EXPUNGED FROM
PERSONAL PENAL FILES; LEGISLATIVE MEASURES ENACTED FROM
APRIL 21, 1967 UNTIL JULY 23, 1974 SHOULD BE CONSIDERED
CANCELLED, ALTHOUGH TO AVOID CONFUSION THEY REMAIN
PROVISIONALLY IN FORCE; AND STATUTE OF LIMITATIONS
DOES NOT APPLY TO JUNTA OFFICIALS.

3. GOG'S DRAFT CONSTITUENT ACT STOLE THUNDER FROM CU/NF
BILL SUBMITTED TO PARLIAMENT JANUARY 7 BY TWO GEORGE
MANGAKISES WHO CO-SPONSORED. PASOK'S JOHN KOUTSOHERAS
TABLED SAME DAY MORE EXTREME DRAFT CONSTITUENT ACT WHICH
WOULD HAVE IMPOSED DEATH SENTENCES ON PAPADOPOULOS AND
ACCOMPLICES, SANCTIONED "KILLING OF TYRANTS," AND PROVIDED
FOR CONFISCATION OF PROPERTIES BELONGING TO MILITARY
REGIME LEADERS. GOG DRAFT CONSTITUENT ACT, WHICH WAS
REFERRED IMMEDIATELY TO PARLIAMENTARY COMMITTEE ON JUSTICE,
TAKES PRECEDENCE OVER OPPOSITION BILLS.

4. MEANWHILE PUBLIC PROSECUTOR GEORGE VOLTIS WHO FILED
FORMAL CHARGES OF HIGH TREASON AND INSURRECTION AGAINST
KEA FIVE ON DEC 29, 1974 WILL HEAR DEFENSE PLEAS
BEGINNING JAN 15. GOG DRAFT CONSTITUENT ACT SETS
LEGAL FRAMEWORK FOR PROSECUTION OF JUNTA WHILE DISMANTLING
MILITARY REGIME'S PROTECTIVE SHIELD AGAINST LIABILITY AS
WELL AS NULLIFYING FULL BODY OF ITS LEGISLATIVE ACTIONS.
PARLIAMENT'S APPROVAL OF DRAFT BILL WILL GRANT GOG
COMPLETE AUTHORITY TO PURSUE DEJUNTIZATION PLATFORM.
STEARNS

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